

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GERALD CORNELIUS ELDRIDGE,	§	
	§	
	§	
Petitioner,	§	
	§	
v.	§	CIVIL NO. H-05-1847
	§	
RICK THALER, Director,	§	
Texas Department of Criminal	§	
Justice-Correctional Institutions	§	
Division,	§	
	§	
Respondent.	§	
	§	

ORDER DENYING PETITIONER'S RENEWED AMENDED MOTION FOR STAY

The petitioner, Gerald Cornelius Eldridge, a Texas death row inmate, has filed a motion for a stay. Eldridge is represented by attorneys from the Texas Defender Service ("TDS"), "a non-profit organization established in 1995 by experienced death penalty attorneys." *See* <http://www.texasdefender.org/about>.

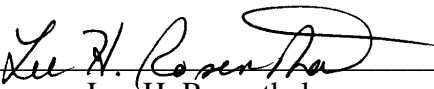
Because the costs of this case have already exceeded the presumptive limits, all additional funding must be approved by the Chief Judge of the Fifth Circuit. Eldridge's amended motion notes that his most recent funding request has been granted in part by the Fifth Circuit, but he complains that the part denied by the Fifth Circuit makes the compensation for his counsel inadequate. He therefore seeks to stay an upcoming evidentiary hearing until this court can persuade the Fifth Circuit to increase counsel's compensation, or counsel receives other assurance of additional payment.

As Eldridge's motion makes clear, the Chief Judge of the Fifth Circuit has already

considered Eldridge's payment request. She has determined that counsel is not entitled to the full amount requested.

This case has already been delayed numerous times, and has now been pending for more than two years. The motion presents no basis for further delay. The petitioner's Amended Renewed Motion To Stay Proceedings, (Docket Entry 206) is **DENIED**.

SIGNED on January 4, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge